

AMENDED IN SENATE SEPTEMBER 7, 2007

AMENDED IN SENATE JULY 17, 2007

AMENDED IN SENATE JULY 9, 2007

AMENDED IN ASSEMBLY MAY 2, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1252

**Introduced by Assembly Members Caballero and Garcia
(Coauthor: Assembly Member Saldana)**

February 23, 2007

An act to ~~add Chapter 8 (commencing with Section 50700) to Part 2 of Division 31 of the Health and Safety Code, relating to housing; amend Sections 5640, 5641, 5642, 5643, 5644, 5645, 5646, 5647, 5648, 5649, 5650, 5651, and 5653 of, to amend the heading of Chapter 3.3 (commencing with Section 5640) of Division 5 of, and to add Sections 5643.6 and 5652.5 to, the Public Resources Code, relating to parks and recreation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1252, as amended, Caballero. ~~Housing-related Parks Program. Statewide Park Development and Community Revitalization Act of 2007.~~

The Urban Park Act of 2006 (act) requires the Department of Parks and Recreation (department) to establish a local assistance program to offer grants, on a competitive basis, to various local entities and nonprofit organizations, as defined, for the acquisition or development,

or both, of urban parks and recreational areas and facilities. Heavily urbanized counties are authorized to apply for these grants.

This bill would change the name of the act to the Statewide Park Development and Community Revitalization Act of 2007. A city, regional park district, district, joint powers authority, or county, in addition to specified nonprofit organizations, would be authorized to apply for local assistance program grants. The term “critically underserved community” would replace the term “heavily urbanized county” for purposes of the act and would be defined to include a community with less than 3 acres of usable parkland per 1,000 residents or is a disadvantaged community, as defined, and can demonstrate to the Department of Parks and Recreation that the community has insufficient or no park and recreation facilities. The bill would revise the criteria for awarding grants, and require the department on or before April 1, 2009, to adopt guidelines to amplify or clarify the grant criteria or develop a procedural guide for the administration of the act and the guidance of applicants. The department would be required to offer technical assistance to all applicants and potential applicants for both grant preparation and project development to encourage full participation in the grant program.

The bill would make clarifying and conforming changes to other provisions of the act.

The bill would provide that it would be operative only if SB 732 of the 2007–08 Regular Session is enacted and becomes effective on or before January 1, 2008.

~~The Housing and Emergency Shelter Trust Fund Act of 2006 authorizes the issuance of bonds in the amount of \$2,850,000,000 pursuant to the State General Obligation Bond Law. Proceeds from the sale of these bonds are required to be used to finance various existing housing programs, capital outlay related to infill development, brownfield cleanup that promotes infill development, and housing-related parks. The act establishes the Housing and Emergency Shelter Trust Fund of 2006 in the State Treasury, requires the sum of \$200,000,000 to be deposited in the Housing Urban-Suburban and Rural Parks Account, which the act establishes in the fund, and makes the money in the account available, upon appropriation, for housing-related parks grants in urban, suburban, and rural areas, subject to the conditions and criteria that the Legislature may provide in statute.~~

~~This bill would establish the Housing-Related Parks Program under the administration of the Department of Housing and Community~~

The bill would require the department to adopt guidelines for the program, which would be exempt from the procedural requirements for the adoption of regulations. The department would be authorized to enter into an interagency agreement with the Department of Parks and Recreation to assist in the administration of the program.

The people of the State of California do enact as follows:

8 *SEC. 2. The heading of Chapter 3.3 (commencing with Section*
9 *5640) of Division 5 of the Public Resources Code is amended to*
10 *read:*

15
16 *SEC. 3. Section 5640 of the Public Resources Code is amended*
17 *to read:*

5640. This chapter shall be known, and may be cited, as the
~~Urban Park Act of 2006~~ *Statewide Park Development and*
Community Revitalization Act of 2007.

94

1 5641. The Legislature hereby finds and declares as follows:

2 (a) The program created by this chapter will finance the
3 acquisition and development of parks and recreation areas and
4 facilities in the ~~neighborhoods~~ *communities* that are currently least
5 served by park and recreation ~~providers~~ *facilities* by emphasizing
6 the *creation of opportunities and the expansion of neighborhood*
7 *park* accessibility to ~~parks~~ *underserved communities*. These
8 ~~neighborhoods~~ *underserved communities* are often the same areas
9 that suffer most from high unemployment and destructive or
10 unlawful conduct by youth.

11 (b) The program established by ~~the~~ *this* chapter will encourage
12 community participation in, and a greater sense of responsibility
13 toward, new parks and recreation areas and facilities, which will
14 help keep them clean and safe and which will enhance community
15 pride and sustain neighborhood vitality.

16 (c) New parks and facilities will provide safe recreational
17 opportunities for children ~~and~~, positive outlets, *and secure sites*
18 for youth, ~~and will meet~~ *while also meeting* the special recreational
19 and social needs of senior citizens and other ~~urban~~ population
20 groups.

21 (d) *California suffers from an acute shortage of parks*
22 *throughout the state, particularly in poor communities.*

23 (e) *It is therefore the intent of the Legislature that the funds*
24 *made available through the Statewide Park Development and*
25 *Community Revitalization Act of 2007 be used to award competitive*
26 *grants statewide to advance certain goals and policies, including,*
27 *but not limited to assisting in the development of park and*
28 *recreation opportunities to critically underserved communities. It*
29 *is further the intent of the Legislature that this be accomplished*
30 *by delivering project funds to neighborhood and regional park*
31 *projects in areas of highest need.*

32 SEC. 5. Section 5642 of the Public Resources Code is amended
33 to read:

34 5642. As used in this article, the following terms shall have
35 the following meanings:

36 (a) “City” means a city or ~~a city and county~~ *the City and County*
37 *of San Francisco.*

38 (b) ~~“District” means a regional park district, regional park and~~
39 ~~open-space district, or regional open-space district formed pursuant~~
40 ~~to Article 3 (commencing with Section 5500) of Chapter 3, or a~~

1 ~~recreation and park district formed pursuant to Chapter 4~~
2 ~~(commencing with Section 5780).~~

3 (b) “Critically underserved community” means a community
4 that meets either of the following:

5 (1) Has less than three acres of usable parkland per 1,000
6 residents.

7 (2) Is a disadvantaged community, as defined by subdivision
8 (g) of Section 75005, and can demonstrate to the department that
9 the community has insufficient or no park and recreation facilities.

10 (c) “District” means one of the following:

11 (1) A recreation and park district formed under Chapter 4
12 (commencing with Section 5780).

13 (2) A public utility district formed under Division 7 (commencing
14 with Section 15501) of the Public Utilities Code in a nonurbanized
15 area that employs a full-time park and recreation director and
16 offers year-round park and recreation services on lands and
17 facilities owned by that district.

18 (3) A memorial district formed under Chapter 1 (commencing
19 with Section 1170) of Division 6 of the Military and Veterans Code
20 that employs a full-time park and recreation director and offers
21 year-round park and recreation services on lands and facilities
22 owned by that district.

23 (4) The Malaga County Water District exercising powers
24 authorized under Section 31133 of the Water Code.

25 (5) A community service district formed under Division 3
26 (commencing with Section 61000) of Title 6 of the Government
27 Code in a nonurbanized area that is authorized to provide public
28 recreation as specified in subdivision (e) of Section 61100 of the
29 Government Code.

30 (6) A county service area or zone in the county service area,
31 within the County of San Bernardino that is empowered to provide
32 public park and recreation services pursuant to Chapter 2.2
33 (commencing with Section 25210.1) of Part 2 of Division 2 of Title
34 3 of the Government Code, that is actually providing public park
35 and recreation services that was reorganized prior to January 1,
36 1987, from a park and recreation district to a county service area
37 or zone.

38 (7) A regional park district formed pursuant to Article 3
39 (commencing with Section 5500) of Chapter 3.

40 (e)

(d) “Facilities” includes, but is not limited to, places for organized team sports, outdoor recreation, and informal turf play; nonmotorized recreational trails; permanent play structures; landscaping; community gardens; places for passive recreation, enjoyment of scenic open space, nature appreciation and study, and outdoor education; multipurpose structures designed to meet the special recreational, educational, vocational, and social needs of youth, senior citizens, and other ~~urban~~ population groups; *recreation areas created by the redesign and retrofit of urban freeways; community swimcenters; regional recreational trails;* and infrastructure and other improvements that support these facilities.

~~(d) “Heavily urbanized county” means a county with a population of 500,000 or more, and a density of at least 1,100 persons per square mile, based on the most recent verifiable census data.~~

(e) “Nonprofit organization” means any nonprofit public benefit corporation formed pursuant to the Nonprofit Corporation Law (Division 2 (commencing with Section 5000) of the Corporations Code), qualified to do business in California, qualified under Section 501(c)(3) of Title 26 of the United States Code, and that has among its primary purposes the preservation, protection, or enhancement of land or water resources in their natural, scenic, historical, agricultural, forested, or open-space condition or use, or the provision of conservation and environmental education and other recreational, vocational, and educational services to ~~urban~~ youth.

~~(f) “Park access” means the distance of approximately one-half mile or less from a residence to a park.~~

SEC. 6. Section 5643 of the Public Resources Code is amended to read:

5643. The Department of Parks and Recreation shall establish a local assistance program to ~~offer~~ *distribute grants to the most park needy communities across the state*, on a competitive basis, to eligible cities, counties, joint powers authorities, ~~any district except a school district authorized to provide park, recreational, or open-space services, or a combination of those services~~ *districts*, and nonprofit organizations for the acquisition or development, or both, of property for ~~urban~~ parks and recreation areas and facilities.

1 *SEC. 7. Section 5643.6 is added to the Public Resources Code,*
2 *to read:*

3 5643.6. *It is the intent of the Legislature that the local*
4 *assistance program created by this chapter fund both neighborhood*
5 *parks and regional parks and trails.*

6 *SEC. 8. Section 5644 of the Public Resources Code is amended*
7 *to read:*

8 5644. ~~The following entities are eligible to apply for grants~~
9 ~~pursuant to this chapter:~~ *Eligible applicants for grants pursuant*
10 *to this chapter are cities, counties, regional park districts, districts,*
11 *joint powers authorities, and nonprofit organizations.*

12 ~~(a) A heavily urbanized county.~~

13 ~~(b) Any city or district, or joint powers authority that includes~~
14 ~~a city or district, irrespective of population, in a heavily urbanized~~
15 ~~county.~~

16 ~~(c) Any city with a population of 100,000 or more, based on~~
17 ~~the most recent verifiable census data, which is not in a heavily~~
18 ~~urbanized county.~~

19 ~~(d) A nonprofit organization that is applying for a grant for a~~
20 ~~project located within the jurisdiction of an entity that meets the~~
21 ~~requirements of subdivision (a), (b), or (c).~~

22 *SEC. 9. Section 5645 of the Public Resources Code is amended*
23 *to read:*

24 5645. The department may award a grant pursuant to this
25 chapter only for a project that meets all of the following criteria:

26 ~~(a) The proposed project is within the jurisdiction of an eligible~~
27 ~~applicant, as specified in Section 5644.~~

28 ~~(b) The project will result in the creation of a new urban park,~~
29 ~~new or multipurpose facility, or new recreational opportunity.~~

30 ~~(a) The proposed project will create a new park where one~~
31 ~~currently does not exist, a new or multipurpose facility, or new~~
32 ~~recreational opportunity.~~

33 ~~(b) The project will serve a critically underserved community~~
34 ~~or in the case of a regional park or trail, the project has a primary~~
35 ~~service area that includes residents of critically underserved~~
36 ~~communities.~~

37 ~~(c) The proposed project is designed to provide efficient use of~~
38 ~~water and other natural resources.~~

39 ~~(d) The amount of the grant applied for, together with any~~
40 ~~matching contribution, will meet all the costs of acquiring or~~

1 *developing, or both, the new park or facilities, and when*
2 *construction of the project is completed, the new park or facility*
3 *will be fully usable by the residents of the project's service area.*

4 *SEC. 10. Section 5646 of the Public Resources Code is*
5 *amended to read:*

6 5646. In evaluating applications for grants that meet the
7 requirements of Section 5645, the department shall assign higher
8 priority to applications, for each of the following criteria satisfied:

9 ~~(a) The amount of the grant applied for, together with any~~
10 ~~matching contribution, will meet all the costs of acquiring or~~
11 ~~developing, or both, the new urban park or facilities, and when~~
12 ~~construction of the project is completed, the new urban park or~~
13 ~~facility will be fully usable by the residents of the project's service~~
14 ~~area.~~

15 ~~(b) The project's service area has significant deficiencies in~~
16 ~~park access and facilities relative to other areas of the applicant's~~
17 ~~jurisdiction.~~

18 ~~(c) The project will enhance employment opportunities for~~
19 ~~residents, including at-risk youth, of the project's service area, or~~
20 ~~of members of the California Conservation Corps or certified local~~
21 ~~conservation corps.~~

22 ~~(d) The project will accommodate outdoor learning opportunities~~
23 ~~for school pupils or at-risk youth from the project's service area,~~
24 ~~or of members of the California Conservation Corps or certified~~
25 ~~conservation corps.~~

26 ~~(e) The project will be usable by pupils from one or more public~~
27 ~~schools in the project's service area.~~

28 ~~(f) The application includes a commitment for a matching~~
29 ~~contribution. The matching contributions may be in the form of~~
30 ~~moneys from any source, including funds from other state local~~
31 ~~assistance programs; gifts of real property, equipment, and~~
32 ~~consumable supplies; volunteer services; free or reduced-cost use~~
33 ~~of land, facilities, or equipment; and bequests and income from~~
34 ~~wills, estates, and trusts. The department shall evaluate the amount~~
35 ~~of the matching contribution in terms of its proportionality in~~
36 ~~relation to the economic resources of the applicant.~~

37 ~~(g) The project will wholly or partly replace an area of blight,~~
38 ~~recycle property, replace a brownfield, or will contribute~~
39 ~~significantly to the economic revitalization of the area in the~~
40 ~~project's service area.~~

1 ~~(h) The development phase of the project was planned with~~
2 ~~public input from the affected community.~~

3 ~~(i) The project is a joint-use project between two or more~~
4 ~~agencies that share responsibility for ownership, development, and~~
5 ~~maintenance of the project.~~

6 ~~(j) The project is a partnership in an infill, transit-oriented, or~~
7 ~~an affordable housing development.~~

8 ~~(k) The project is easily accessible to pedestrians, bicycles, and~~
9 ~~public transit, and encourages use by local residents.~~

10 ~~(l) The project creates a new park in a location where none~~
11 ~~currently exists.~~

12 *(a) The project will acquire new parks, develop new parks, or*
13 *expand overused parks in a community that has insufficient or no*
14 *park and recreation facilities. In evaluating the deficiency level*
15 *of park and recreation facilities in a service area, the department*
16 *shall consider the number of acres of usable parkland per 1,000*
17 *residents.*

18 *(b) The project's service area has a significant percent of*
19 *persons living at or below the poverty level.*

20 *(c) The project's service area has a significant unemployment*
21 *rate.*

22 *(d) The applicant has actively involved the public and*
23 *community-based groups in the selection and planning of the*
24 *project.*

25 *(e) The project's service area has a significant number of*
26 *children under the age of 18 years.*

27 *(f) The project will enhance workforce development and*
28 *employment opportunities or accommodate outdoor learning*
29 *opportunities for school pupils, at-risk youth in the service area,*
30 *members of the California Conservation Corps, or members of a*
31 *certified local conservation corps.*

32 *(g) The project is a joint partnership project between two or*
33 *more agencies, including, but not limited to, school districts,*
34 *nonprofit organizations, and local governmental agencies that*
35 *share responsibility for ownership, development, and maintenance*
36 *of the project in order to enhance investment of public resources.*

37 *SEC. 11. Section 5647 of the Public Resources Code is*
38 *amended to read:*

39 *5647. (a) The department ~~may~~ shall adopt guidelines to*
40 *amplify or clarify the criteria specified in Section 5646, and may*

1 adopt additional criteria, to supplement those criteria, but the scope
2 of the additional criteria shall be limited to providing additional
3 guidance in selecting projects in areas that have the greatest
4 deficiencies in parks and facilities.

5 (b) The department ~~may~~ *shall* develop a procedural guide for
6 the administration of this chapter and the guidance of applicants.

7 (c) The department shall solicit written comments and hold
8 public hearings at convenient locations throughout the state on
9 any guideline or procedural guide that is proposed to be adopted
10 or developed pursuant to this section.

11 (d) *The department shall offer technical assistance to all*
12 *applicants and potential applicants for both grant preparation*
13 *and project development in order to encourage full participation*
14 *in the grant program.*

15 (e) *The department shall allow grant awardees to spend a*
16 *portion of their grant for project planning and other incidental,*
17 *but directly related, construction or acquisition costs.*

18 ~~(d) If the department determines to adopt guidelines or to develop~~
19 ~~a procedural guide pursuant to this section, the~~

20 (f) The department shall adopt the guidelines or develop the
21 procedural guide on or before April 1, ~~2002~~ 2009.

22 ~~(e)~~

23 (g) Any regulation or procedural guide adopted or developed
24 pursuant to this section shall not be subject to the review or
25 approval of the Office of Administrative Law or to any other
26 requirement of Chapter 3.5 (commencing with Section 11340) of
27 Division 3 of Title 2 of the Government Code.

28 ~~(f)~~

29 (h) The department ~~may~~ *shall* not expend more than 5 percent
30 of the amount annually appropriated for the purposes of this chapter
31 for administrative costs, *with a minimum of 1 percent being used*
32 *to support technical assistance.*

33 ~~(g)~~

34 (i) If funding is available, the department shall administer
35 application requests for proposals and grant awards in no less than
36 two cycles in ~~two years~~ *one year*. The department shall maintain
37 this application schedule as long as funding is available.

38 *SEC. 12. Section 5648 of the Public Resources Code is*
39 *amended to read:*

5648. (a) The local assistance program created by this chapter is intended to include grants for the acquisition or development, or both, of parcels of property of any size that will serve ~~urban~~ residents of a critically underserved community and otherwise meet the requirements of this chapter. The department shall not assign an application a lower priority on the basis that the application proposes the acquisition of a city lot or other small parcel.

(b) A grant may be expended to acquire the fee title, a leasehold, or other interest in real property. If an application proposes to acquire less than fee title, the applicant shall demonstrate in the application, to the satisfaction of the department, that the proposed project will provide public benefits that are commensurate with the type and duration of the interest in real property to be acquired.

SEC. 13. Section 5649 of the Public Resources Code is amended to read:

5649. Any eligible nonprofit organization may apply for a grant on its own behalf or on behalf of an eligible city, county, or district pursuant to a contract with that city, county, or district to acquire and develop the ~~urban~~ park or recreation area. The application ~~shall~~ may include a copy of the contract and the resolution or other authorization for the contract. The contract shall specify arrangements for the long-term management and operation of the ~~urban~~ park or recreation area.

SEC. 14. Section 5650 of the Public Resources Code is amended to read:

5650. (a) Every applicant for a grant pursuant to this chapter and the entity that will operate and maintain the property, if that entity is different than the applicant, shall agree to comply with all of the following requirements:

(1) To operate and maintain the property developed pursuant to this chapter so that it is usable by residents of the ~~project's~~ service area targeted critically underserved community. With the approval of the department, the grant recipient, or its successor in interest in the property, may transfer its property interest and the responsibility to operate and maintain the property, in accordance with the terms of the grant and any applicable law, to a public agency or nonprofit organization that is able to operate and maintain the property in perpetuity. Any attempt to make a transfer in violation of this subdivision is void.

(2) To use the property only for the purposes for which the grant was made and to make no other use or sale or other disposition of the property, except as authorized by specific act of the Legislature. If the use of the property is changed to a use that is not permitted by the terms of the grant, or if the property is sold or otherwise disposed of, the grant recipient shall reimburse the state an amount equal to the amount of the grant, the fair market value of the land and any improvements constructed with the grant, or the proceeds from the sale or other disposition, whichever amount is greatest. If the property that is sold or otherwise disposed of is less than the entire interest in the property funded with the grant, the grant recipient shall reimburse the state an amount equal to either the proceeds from the sale or other disposition of the interest or the fair market value of the interest sold or otherwise disposed of, whichever amount is greater.

(b) In lieu of seeking reimbursement pursuant to paragraph (2) of subdivision (a), the department may impose restrictions on the use of public park property identical to the requirements for the preservation of public parks set forth in the Public Park Preservation Act of 1971 (Chapter 2.5 (commencing with Section 5400)) with respect to any property used, sold, or otherwise disposed of in a manner not permitted by the terms of the grant.

SEC. 15. Section 5651 of the Public Resources Code is amended to read:

5651. (a) The recipient of a grant pursuant to this chapter may use the grant funds to pay for any portion of the cost of cleaning up, removing, or remediating any toxic materials or hazardous substances, if the amount used for cleanup, removal, or remediation does not exceed ~~the lesser of 20 percent of the grant allocated to the project or one hundred thousand dollars (\$100,000).~~

(b) *To ensure that the park needs of critically underserved communities across the state have an opportunity to be assisted by this program, all funds appropriated for use pursuant to this chapter shall be divided so that projects in counties with populations larger than 1,000,000, projects in counties with populations between 200,000 and 1,000,000, and projects in counties with populations of less than 200,000 people receive a portion of funds equal to the proportion of the state's population found in each of these categories as determined by the Department of Finance on the basis of the most recent verifiable census data.*

1 *(1) The department may establish individual grant size*
2 *limitations for projects in each of these county groups.*

3 *(2) If the jurisdiction of an applicant encompasses more than*
4 *one county, as in the case of some regional park districts, an*
5 *application shall be considered under the program where the*
6 *proposed project is located.*

7 *SEC. 16. Section 5652.5 is added to the Public Resources Code,*
8 *to read:*

9 *5652.5. A grant recipient shall encumber grant moneys within*
10 *three years of the date of the approval of the grant and shall be*
11 *liquidated within eight years from the date of appropriation.*

12 *SEC. 17. Section 5653 of the Public Resources Code is*
13 *amended to read:*

14 *5653. On or before April 30, 2003, 2010, and on or before*
15 *April 30 annually thereafter, the department shall submit a report*
16 *to the Legislature on the status of each grant grants made pursuant*
17 *to this chapter, including, but not limited to, the status of the*
18 *awarded project, the project's service area, and the project's*
19 *benefits. The report shall also include how the department has*
20 *given technical assistance in project development and grant*
21 *preparation to underserved communities .*

22 *SEC. 18. This bill shall become operative only if Senate Bill*
23 *732 is enacted and becomes effective on or before January 1, 2008.*

24 ~~SECTION 1. Chapter 8 (commencing with Section 50700) is~~
25 ~~added to Part 2 of Division 31 of the Health and Safety Code, to~~
26 ~~read:~~

27
28 ~~CHAPTER 8. HOUSING-RELATED PARKS PROGRAM~~
29

30 ~~50700. There is hereby established in state government the~~
31 ~~Housing-Related Parks Program, to be administered by the~~
32 ~~department, using funds allocated, upon appropriation, under~~
33 ~~subdivision (d) of Section 53545, for the purpose of providing~~
34 ~~grants for the creation, development, or rehabilitation of community~~
35 ~~or neighborhood parks to cities, counties, and cities and counties~~
36 ~~that issue building permits for housing developments consisting~~
37 ~~of newly constructed units that are affordable to very low or~~
38 ~~low-income households.~~

39 ~~50702. (a) To the extent that funds are available for this~~
40 ~~purpose, the department, in conjunction with the Department of~~

~~Parks and Recreation, shall provide grants under this chapter to any city, county, or city and county that meets all of the following criteria:~~

~~(1) The jurisdiction shall be a park-deficient community, based on criteria established by the Department of Parks and Recreation.~~

~~(2) On or before the end of the period covered by the Notice of Funding Availability required under subdivision (b), the jurisdiction has adopted a housing element that the department, pursuant to Section 65585 of the Government Code, has found to be in substantial compliance with the requirements of Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code, and the jurisdiction has submitted to the department the annual progress report required under Section 65400 of the Government Code within the preceding 12 months.~~

~~(3) The jurisdiction has issued a building permit for a housing development that consists of newly constructed units that are affordable to low- or very low income households within the designated time period and that meets either of the following criteria:~~

~~(A) In the case of rental units, the development is subject to a regulatory agreement recorded against the property that obligates the owner to maintain rents on the restricted units at levels affordable to low- or very low income households for at least 55 years.~~

~~(B) In the case of ownership housing, units in the development are initially sold to households of low- or very low income at an affordable housing cost. If public funds are used to achieve an affordable housing cost, then upon the sale of an assisted unit to a low- or very low income household, the public entity shall ensure the repayment of the public funds and reuse of those funds for affordable housing for a period of at least 20 years. The proposed mechanism for restrictions of ownership units shall be consistent with criteria established by the department and specified in the Notice of Funding Availability.~~

~~(b) For each year that funds are available, the department shall issue a Notice of Funding Availability to cover permits issued during the designated time period. The department shall accept applications at the close of the designated period. Grant amounts shall be determined as a per-bedroom incentive for each unit restricted for low- and very low income households. For the~~

1 ~~purposes of this section, single-room occupancies and studio~~
2 ~~apartments shall be considered as one-bedroom units. The grant~~
3 ~~for very low income units shall be greater than the grant for~~
4 ~~low-income units. If the eligibility for funds exceeds the amount~~
5 ~~of funding available for this program, the department shall reduce~~
6 ~~all qualifying grant amounts proportionally.~~

7 ~~(e) (1) Additional bonus funds may be awarded~~
8 ~~for jurisdictions that have met or exceeded housing production~~
9 ~~thresholds established by the department, in consultation with the~~
10 ~~Department of Finance.~~

11 ~~(2) The amount of the bonus grants to be awarded shall be~~
12 ~~established in the Notice of Funding Availability.~~

13 ~~50704. (a) Grants provided pursuant to this chapter shall be~~
14 ~~used for the costs of community or neighborhood park creation,~~
15 ~~development, or rehabilitation, including, but not limited to, the~~
16 ~~acquisition of land for the purposes of those activities, consistent~~
17 ~~with the requirements set forth in Section 16727 of the Government~~
18 ~~Code.~~

19 ~~(b) To be eligible for funding, the construction, development,~~
20 ~~or rehabilitation of a park shall meet minimum park standards~~
21 ~~based on criteria established by the Department of Parks and~~
22 ~~Recreation.~~

23 ~~(c) To be eligible for funding, the acquisition, construction,~~
24 ~~development, or rehabilitation of a park shall be in a park-deficient~~
25 ~~neighborhood within the community, based on criteria established~~
26 ~~by the Department of Parks and Recreation.~~

27 ~~(d) The department shall adopt guidelines for the operation of~~
28 ~~the program. The guidelines shall not be subject to the requirements~~
29 ~~of Chapter 3.5 (commencing with Section 11340) of Part 1 of Title~~
30 ~~2 of the Government Code.~~

31 ~~(e) The department may deny funding to any jurisdiction that~~
32 ~~it determines, based on reasonable evidence, failed to issue permits~~
33 ~~for qualifying residential units on a timely basis, as set forth in the~~
34 ~~guidelines established under subdivision (d).~~

35 ~~(f) The department may enter into an interagency agreement~~
36 ~~with the Department of Parks and Recreation to assist in the~~
37 ~~administration of the program.~~

- 1 ~~(g) A grantee may contract with another entity to complete the~~
- 2 ~~park project for which it has received funds.~~